THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.21407 OF 2007

DATED: 09-10-2007

Between:

T.V.P. Rao

.. Petitioner

and

APSRTC, rep. by its Managing Director & Vice Chairman, Musheerabad, Hyderabad and others.

.. Respondents

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WRIT PETITION No.21407 OF 2007

ORDER:

The facts, in brief, are that the petitioner, while working as Driver with A.P. State Road Transport Corporation, was removed from service on 19.07.1994. Aggrieved by the same, he raised a dispute, being I.D.No.70 of 1995, before the Industrial Tribunal-cum-Labour Court, Warangal, under Section 2-A (2) of the Industrial Disputes Act (for short 'the Act'), and the Labour Court passed an award on 25.07.1998 directing the management to reinstate the petitioner into service with continuity of service, attendant benefits and full backwages. Challenging the said award, the management had preferred a writ petition, being W.P.No.13309 of 1999, before this Court and the same was partly allowed on 19.07.2005 modifying the award passed by the Labour Court to the effect that the petitioner is entitled to reinstatement with continuity of service and other attendant benefits, but only with 50% of the backwages. According to the learned counsel for the petitioner, no appeal has been preferred against the said order, dated 19.07.2005, passed by this Court and the same has attained finality. While that being so, now the grievance of the petitioner is that though this Court ordered reinstatement with continuity of service and other attendant benefits with 50% of backwages, his pay has not been fixed by the respondents as per Circular PD.No.89/92 dated 08.09.1992, issued by the Corporation.

In view of the above, without expressing any opinion on merits, the respondents are directed to consider the case of the petitioner for fixation of his pay as per Circular PD.No.89/92 dated 08.09.1992, in view of the Judgment, dated 19.07.2005, passed by this Court in W.P.No.13309 of 1999, and pass appropriate orders as per law, within

a period of four weeks from the date of receipt of a copy of this order, and communicate the same to the petitioner.

With the above direction, the writ petition is disposed of. No order as to costs.

C.V. RAMULU, J

9th October, 2007.

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